

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

&

THE HONOURABLE MR. JUSTICE HARUN-UL-RASHID

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

Mat.Appeal.No. 221 of 2006()

OS.378/1997 of FAMILY COURT,KOLLAM

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PETITIONER: APPELLANT/DEFENDANT

S.NARAYANA REDDIAR,AGED 75 YEARS,
S/O.SUBBAYYA REDDIAR,
RESIDING AT SUBHALAYAM,
THEVALLY WARD,KOLLAM VILLAGE,
KOLLAM.

BY ADV. SRI.P.B.SURESH KUMAR

RESPONDENTS: RESPONDENT/PLAINTIFF

N.KRISHNAVENI,AGED 60 YEARS,
D/O.MUTHUSWAMI REDDIAR,
RESIDING AT SUBHA NILAYAM,
THAMARAKULAM WARD,
KOLLAM VILLAGE,KOLLAM.

BY ADV. SRI.S.SHAJI
SRI. C.M.MOHAMMED IQUABAL

THIS MATRIMONIAL APPEAL HAVING BEEN FINALLY HEARD ON 12/11/2007,
THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

KURIAN JOSEPH & HARUN-UL-RASHID, JJ.

I.A. Nos. 2592 & 2593 of 2007
and
Mat.Appeal No.221 of 2006

Dated this the 12th day of November 2007

JUDGMENT

Kurian Joseph,J

The parties have arrived at a settlement and they have filed a compromise petition. The terms of the compromise are recorded . The parties have also filed a petition under Section 13 B (1) of the Hindu Marriage Act 1955. We are satisfied that there is no collusion and that a further lie over period is not necessary in view of the strained relationship between the parties. Therefore I.A. 2593/2007 is allowed and the marriage between the appellant and respondent is dissolved with effect from today.

In view of the terms of the compromise as recorded in I.A.2592/2007, the appeal is disposed of. The judgment and decree in O.S. 378/1997 on the file of the Family Court Kollam is set aside . I.A 2592/2007 will form part of the decree. On working out the terms of compromise the Family Court Kollam shall pass an order lifting the attachment. We record our appreciation for the sincere and earnest efforts taken by Sri.N.Sreelal Warriar who has spent quite a few days in mediating for a settlement between the parties.

KURIAN JOSEPH, JUDGE

HARUN-UL-RASHID, JUDGE